

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RENEE HENDERSON,)	
)	
Plaintiff,)	
)	Cause No:
v.)	
)	St Louis County Cir. 22SL-CC03824
WALMART INC.)	
)	Defendant demands trial by jury
Defendant.)	

REMOVAL NOTICE

COMES NOW, Defendant Walmart Inc., by and through undersigned counsel, and for its Notice of Removal, states the following:

1. On January 16, 2022 Plaintiff filed her Petition in the Circuit Court of St. Louis County, State of Missouri against Defendant Walmart, Inc.
2. Plaintiff is a resident and citizen of the State of Missouri.
3. At the time of the commencement of said action and ever since, Walmart Inc. has been and still is a foreign corporation incorporated and existing under the laws of the State of Delaware with its principal place of business in the State of Arkansas, not having its chief and principal office and place of business in the State of Missouri, and is not a citizen or resident of the State of Missouri. Walmart, Inc. is likewise a foreign corporation not having its principal place of business in the State of Missouri.
4. Plaintiff's claim for damages exceeds the statutory minimum requirement of \$75,000 for diversity jurisdiction.
5. Plaintiff filed her Petition on August 29, 2022 and obtained service on this Defendant on or about November 30, 2022. Therefore, this Notice of Removal has been timely filed within thirty (30) days pursuant to 28 U.S.C. § 1446.
6. Plaintiff has over \$41,000 in medical bills and the Petition asserts that she has permanent physical pain and emotional suffering. It is further alleged that she will need

additional medical treatment in the future and incur additional medical expenses. This alone supports that this claim is in excess of \$75,000.

7. Because complete diversity of citizenship exists between Plaintiff and Defendant, and because the amount in controversy in this action exceeds the sum of Seventy-Five Thousand Dollars (\$75,000.00), removal to this Court is proper pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1446.

8. Furthermore, venue is proper in the Eastern Division of this Court pursuant to Local Rule 3.1, as the incident from which Plaintiff claims damages is alleged to have occurred in St. Louis County, Missouri as evidenced in paragraph 3 of Plaintiff's Petition and as established by the fact that the residence at issue is located in St. Louis County.

9. Promptly after filing this Notice of Removal, the Defendant gave written notice thereof to the attorney for Plaintiff, and to the Clerk of the Circuit Court of St. Louis County, Missouri, and has provided both with copies of this Notice for Removal.

10. All pleadings and papers which have been filed in the state court action are attached to this Notice of Removal

WHEREFORE, Defendant Sam's East, Inc. requests that the above-referenced state court action be removed from St. Louis County Circuit Court, to this honorable Court, and that this honorable Court accept jurisdiction of the case, and for any other relief this Court deems just and proper.

/s/ John P. Rahoy

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The undersigned hereby certifies that the above and foregoing pleading was filed electronically with the above-captioned Court, with notice of case activity to be generated and sent electronically by the Clerk of said Court this 20th day of December, 2022 to:

justin@summarylawfirm.com

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